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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELECTRONIC FRONTIER FOUNDATION,)	NO. 07-CV-05278-SI
)	
Plaintiff,)	SUPPLEMENTAL DECLARATION OF
)	DAVID L. SOBEL IN SUPPORT OF
v.)	MOTION FOR AWARD OF
)	ATTORNEYS FEES AND COSTS
OFFICE OF THE DIRECTOR OF NATIONAL)	
INTELLIGENCE,)	
)	Date: May 23, 2008
Defendant.)	Time: 9:00 a.m.
)	Courtroom: 10, 19th Floor
)	
)	
)	

1. I am an attorney for the plaintiff in this matter and a member in good standing of the District of Columbia Bar, and am admitted to practice before this Court in this action *pro hac vice*. I have personal knowledge of the matters stated in this declaration. If called upon to do so, I am competent to testify to all matters set forth herein.

2. I am Senior Counsel at Plaintiff Electronic Frontier Foundation (“EFF”), which is a nonprofit corporation established under the laws of California with its principal place of business in San Francisco. I am based at EFF’s office in Washington, DC.

3. This case is the first action I have litigated in the United States District Court for the Northern District of California concerning the expedited processing provision of the Freedom of Information Act (“FOIA”).

4. I have sought preliminary injunctive relief in past FOIA lawsuits in the United States District Court for the District of Columbia. However, to prepare the motion for a preliminary injunction in this case, I needed to perform legal research and revise prior arguments to incorporate the preliminary injunction and FOIA case precedent specific to the Ninth Circuit.

5. I also became familiar with the local rules and procedures of this Court to ensure that the filings in this case conformed to those requirements.

3. After a careful review of our files on the case, I have determined that I spent the following hours on the reply and this declaration:

<u>Date</u>	<u>Task</u>	<u>Hours</u>
5/5/08	Reviewed and analyzed ODNI opposition to fee motion	0.4
	Conferred with co-counsel concerning possible declarants for reasonableness of rates	0.2
5/8/08	Reviewed and edited draft of reply	0.6
	Conferred with co-counsel concerning draft of reply	0.2
	Reviewed and edited declaration	0.2
	=====	===
	Total reply hours:	1.6

4. In total, I spent no fewer than 24 hours on this litigation, with 21.5 hours spent in 2007

1 when my hourly rate was \$600 per hour (\$12,900.00) and 4.1 hours spent in 2008 when my hourly
2 rate was \$700 per hour (\$2,870). At my hourly rates during the relevant timeframe, my total fees
3 are \$15,770.00.
4

5 I declare under penalty of perjury of the laws of the State of California that the foregoing is true
6 and correct to the best of my knowledge and belief. Executed May 9, 2008 in Washington, DC.
7

8
9 /s/ David L. Sobel
David L. Sobel